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Comoros

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I. Introduction

1. Human rights are a matter of real concern for the Union of the Comoros. The country has made ongoing efforts and taken measures to strengthen the status of these rights in order to comply with relevant international standards.

2. Since the country's transition to democracy, its various Constitutions have solemnly proclaimed this commitment to the universal principles of promoting, protecting and respecting human rights.

3. The revised Constitution of July 2018 introduced major changes in the field of human rights and contains an entire Title on them. In previous Constitutions, by contrast, such rights had merely been proclaimed in a preamble.

4. Human rights are being strengthened through specific actions with respect to freedoms and economic and social rights.

5. Significant steps are being taken to provide universal access to education and health care. Classrooms are being built or renovated. The State is training primary and secondary school teachers. Legislative measures are being taken to make access to health care a reality. A law on universal health coverage has been passed. Studies are being carried out in preparation for the roll-out of a general health insurance scheme, and a multisectoral steering committee has been established.

6. New infrastructure projects have been completed or are under way (roads, hospitals, etc.).

7. The energy sector has seen a marked improvement, and power cuts have been virtually eradicated.

8. As for strategies and policies, the country has developed the Strategy for Accelerated Growth and Sustainable Development for the period 2015–2019. It was revised in 2017 to cover the period 2018–2021 and thus take into account the Sustainable Development Goals, which the Comoros supports. A priority action plan for the Strategy has also been adopted.

9. In addition, the Comoros has developed the Five-Year Investment Plan for the period 2016–2021.

10. In partnership with the United Nations system, the country has adopted a United Nations Development Assistance Framework for the period 2015–2019.

11. In December 2017, the Union of the Comoros adopted a national youth policy.

12. The Union of the Comoros has participated in various international human rights forums for such purposes as sharing experience, expertise and best practices with other States.

13. In 2009, the country was reviewed by its peers as part of the first cycle of the universal periodic review. During this exercise, it received and accepted 52 recommendations. Thanks to political stability and the Government's proactive approach, most of these recommendations were implemented and thus had a highly positive impact on human rights.

14. In January 2014, the Union of the Comoros participated in the second cycle of the universal periodic review in Geneva.

15. Following this review, the Comoros accepted for implementation 102 recommendations from its peers covering several areas of human rights. A further nine recommendations were considered to have already been implemented or to be in the process of implementation. However, the last eight recommendations made did not enjoy the support of the Comoros.

16. The Union of the Comoros is required to submit a report on the implementation of above-mentioned recommendations and the overall human rights situation in preparation for the third review of the country, which is scheduled for 2019.

17. The format of this report complies with the guidance note on the preparation of third cycle reports. It thus begins with a description of the process for the preparation of the report and then goes on to provide information on: (a) the status of implementation of recommendations from previous cycles; (b) the status of implementation of voluntary pledges; (c) new and emerging issues, including advances and challenges in that regard; and, lastly, (d) challenges which would require the support of the international community.

II. Process for the preparation of the report

18. This report was drawn up under the supervision of the Human Rights Delegation and the Ministerial Committee on follow-up to the universal periodic review.

19. The Committee was established pursuant to Decision No. 17-008/MEGSMJAIAPDH/CAB of 27 April 2017, as amended by a decision of September 2018.[1]

20. With the support of the United Nations, a consultant was hired to assist the Committee. He presented a methodological note that was approved by all stakeholders in the process.

21. Under the supervision of the Human Rights Delegation and with the support of the Committee's members, the consultant held meetings with all the bodies involved in drafting the report, including the ministries concerned, the Assembly of the Union of the Comoros and civil society organizations.

22. The methodology involved gathering information from these bodies and carrying out cross-checks, verifications and analysis to ensure its consistency.

23. The process was overseen by the Human Rights Delegation, a standing follow-up and monitoring body under the Ministry of Justice and Human Rights, and the Committee on follow-up to the universal periodic review, which is also attached to the Ministry.[2]

24. First, an initial draft of the report was submitted to the Committee on follow-up to the universal periodic review for approval.

25. Subsequently, it was submitted to United Nations bodies (the United Nations Population Fund (UNFPA), the World Health Organization (WHO), the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), etc.) to obtain their input.

26. Finally, it was approved at a national workshop.

27. The recommendations that emerged from these exercises have been used to improve the report.

III. Status of implementation of recommendations and pledges made during the second cycle of the universal periodic review

28. During the previous cycle, 102 recommendations were issued. They can be grouped into four subject areas:

- Cross-cutting issues
- Civil and political rights
- Economic and social rights
- Rights of specific groups

A. Cross-cutting issues

Environmental issues (recommendation 98)

29. The revised Constitution recognizes the right of Comorians to "a healthy and ecologically balanced environment".

30. For geographical reasons, the Comoros is highly vulnerable to environmental factors. As an island country, it faces incontrovertible environmental risks. Ongoing efforts are thus being made in this area.

31. On 9 November 2016, a bill ratifying the Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was submitted to the Assembly.

32. The country has also ratified the Paris Agreement on Climate Change, the Minamata Convention on Mercury, promulgated by Decree No. 16-067/PR of 13 June 2017, and the Statute of the International Renewable Energy Agency, by Act No. 15-005/AU.

33. A law on food legislation and a law on plant protection were adopted and promulgated in 2017. On 29 May 2017, a bill on the national system of protected areas in the Comoros was submitted to the Assembly for adoption at its October session.

34. Act No. 17-011/AU banning the production, import, marketing and distribution of non-biodegradable plastic packaging and bags was promulgated by Decree No. 17-107/PR of 5 October 2017.

35. The 20-year National Energy Sector Strategy developed by the Comoros with the support of the European Union prioritizes environmental protection by promoting clean energy alternatives in order to significantly reduce deforestation.

36. Broadly speaking, the Strategy for Accelerated Growth and Sustainable Development envisages a form of development that is compatible with environmental protection. This aspect of the Strategy, which is part of its first priority area, covers "the promotion of green and blue economies, integration, the protection of biodiversity and sustainable land management; (iii) climate change and risk management; and (iv) the factoring of climate and natural catastrophe risks into space usage and land planning".[3]

37. The Strategy for Accelerated Growth and Sustainable Development includes a target to increase the area of the country covered by forest to 6 per cent.

B. Civil and political rights

1. Legislative framework

38. The principle of respect for fundamental rights was laid down in the preamble to the revised Constitution. These rights were listed, but no further details were given.

39. The most recent revised version of the Constitution, as amended by the Referendum Act of July 2018, introduced major changes in the field of human rights: these rights are now not only mentioned in the preamble, as had previously been the case, but are also dealt with in a number of dedicated provisions. This represents an important step forward in promoting, protecting and respecting human rights.

40. Articles 1 and 2 of Title I of the Constitution guarantee respect for these rights and lay down the principle of equality before the law without distinction as to race, sex or religion.

41. Title II of the Constitution, entitled "Citizens' Rights and Duties", is devoted entirely to human rights. Chapter II establishes individual, political, social and economic rights and freedoms.

42. In an interesting development, the Constitution provides for the civil responsibility of the State and public bodies if their employees infringe a right in the course of their duties.

43. Besides the Constitution, the Assembly of the Union of the Comoros has adopted several laws on human rights, including ratification acts. Further details will be given under each subject area.

2. Institutional framework (recommendations 18, 19, 20, 22, 23, 24 and 32)

44. The situation of the National Commission for Human Rights and Freedoms is a special case: no new members were appointed to the Commission following the expiration of the members' term of office in July 2017 because the outgoing team failed to set in motion the nomination process.

45. Despite this setback, the Commission's three-person permanent secretariat was kept on to manage its day-to-day affairs.

46. The bodies previously responsible for appointing the Commission's members, for example the Island Councils, were abolished under the new Constitution, and the process of nominating members was entrusted to other bodies.

47. The process has been completed, and the members were appointed pursuant to Decree No. 18-088/PR of 22 September 2018.

48. The Commission will become operational in October.

49. Under Decree No. 18-040/MJAIAPDH/CAB of 19 September 2018, the Ministry of Justice appointed new members to the Committee on follow-up to the universal periodic review, among them a journalist working on justice issues and a member of the National Observatory of Places of Detention.

50. The committee is composed of the following members:

- The Secretary-General of the Ministry of Justice
- The Legal Adviser to the President of the Union of the Comoros
- The Delegate General for Human Rights
- The Director General for Legal Affairs
- A journalist working on justice and human rights issues

51. This same drive for improved organization and efficiency led the Government to thoroughly re-examine the Act on the National Commission for Action against and Prevention of Corruption. The Commission's mandate has expired and has not been renewed, as the Government considered that it did not meet the efficiency standards that had been established to ensure that its work did not become a purely academic exercise. Work is currently under way to address the situation. (Recommendations 23, 24 and 25)

3. Right to life, freedom and personal safety (recommendations 1, 2, 3, 4, 5, 6, 7, 8 and 9)

52. These recommendations concern the death penalty. The Government of the Union of the Comoros has demonstrated a strong commitment to its abolition. For example, the draft Criminal Code submitted to the Assembly provided for the death penalty's abolition, but the members of the Assembly did not adopt it.

53. The Comoros has applied the death penalty on three occasions since gaining independence in 1975; it has not been applied since 2009.

54. Currently, the death penalty has a largely deterrent effect. Given the emergence of threats such as terrorism, the Government considers that it should be retained as a deterrent but that awareness of the issue should continue to be raised among members of the Assembly.

55. The Government thus accepts the idea of abolishing the death penalty; however, its abolition should be a gradual process as its immediate abolition might be misunderstood in a society unfamiliar with the subtleties of law and justice.

56. The Government fully supports the idea of abolishing the death penalty. The draft Criminal Code contained provisions to that effect, but they were subsequently amended so that it can still be applied in murder cases.

4. Administration of justice, including impunity and the rule of law

(a) Improving detention conditions (recommendations 55, 56, 57, 58, 59, 60, 61 and 62)

57. The country is seriously concerned about the prison system in general, and detention conditions in particular, but a lack of resources has prevented measures that have been approved from being implemented. Efforts are nevertheless being made to improve the sector.

58. The country's three detention centres are in a very poor state. Urgent action is needed to bring them into line with relevant international standards.

59. The Government has decided to carry out a full-scale renovation of the Moroni detention centre in order to improve detention conditions. Studies are already being conducted.

60. There are plans to build a new facility with the support of the European Union, and its future location has been decided.

61. There are also plans to train judges in humanitarian law.

62. The Ministry of Justice has established the National Observatory of Places of Detention under the programme of support for the effective administration of justice and respect for human rights, with funding from the United Nations Peacebuilding Fund. The Observatory was incorporated as an association governed by the Act of 1984 to ensure its effective independence.

63. The mandate of the Observatory's officers has expired and is being renewed.

64. The Human Rights Delegation is carrying out an assessment of detention conditions. This involves conducting interviews on the ground with detainees in order to present the Ministry of Justice with proposals aimed at significantly improving conditions.

65. The Ministry of Foreign Affairs has signed an agreement with the International Committee of the Red Cross to guarantee its full access to places of detention.

66. A bill on the organization of prisons is pending adoption. This revolutionary text places great emphasis on prisoner rehabilitation. It provides for the establishment and training of a corps of prison officers. Training for prison officers is also provided for in the Five-Year Investment Plan.[4]

67. By law, minors must be held separately from adults and women from men in dedicated areas. There are separate blocks for women in all three of the country's detention centres. Minors are also held separately from other detainees at the facilities in Mutsamudu (Anjouan) and Fomboni (Moheli).

(b) Administration of justice

68. The justice system continues to face major challenges, even though real progress has been made. With the support of technical and financial partners, important measures have been planned in terms of training and infrastructure.

69. With the support of the European Union, the Government of the Union of the Comoros has developed an ambitious project to overhaul the judiciary. The project, which has received funding from the European Union totalling €9 million, focuses on the following areas:

(a) Promoting judicial independence and integrity;

(b) Improving the accessibility and effectiveness of the public justice service;

(c) Ensuring legal certainty through skills development for those involved in the justice system;

(d) Guaranteeing legal certainty by compiling, updating and disseminating the law;

(e) Making an effective contribution to the fight against corruption;

(f) Modernizing judicial infrastructure and equipment.

70. The project is currently awaiting approval.[5]

71. The Ministry of Justice is currently negotiating a training plan for judges and registrars with Madagascar, Côte d'Ivoire, Senegal and Burkina Faso.

72. In this context, the country has passed two important laws, namely Organic Act No. 15-006/AU on the Supreme Council of Justice, promulgated by Decree No. 16-021/PR of 20 January 2016, and Organic Act No. 15-08/AU repealing and replacing Act No. 05-018/AU of 31 December 2005 on the status of judges.

(c) Access to justice (recommendation 58)

73. A bill on legal aid is currently pending before the Assembly of the Union. A guide on access to justice is being drafted. These measures come on top of those already taken by the Government under the programme of support for the effective administration of justice and respect for human rights funded by the United Nations Peacebuilding Fund.

74. In one example of good practice, Comorian lawyers assist and defend the poor on a pro bono basis.

75. Article 15 of the Constitution represents an important step forward in that it enshrines the right of access to justice and defence and, more importantly, expressly provides for the concept of "reasonable time".

76. This is very important, as the courts remain slow to deliver justice, although targeted measures have been taken to speed up the process, including widespread use of pretrial hearings.

77. A bill establishing a national ombudsperson was drawn up in 2017 to consolidate the process of strengthening social cohesion.

78. A reception and guidance centre for persons in contact with the justice system has been opened in Mutsamudu on a pilot basis, and the Ministry of Justice plans to open further such centres in Fomboni and Moroni.

5. Fundamental freedoms and public participation in political life (recommendation 21)

79. As already noted, the Government has not let up its efforts in this field. The Comoros has ratified the main human rights instruments. Pursuant to article 12 of the Constitution, treaties or agreements that have been ratified or adopted take precedence over national law once they have been promulgated.

80. A law on political parties was passed in 2014 to facilitate wider and more structured participation by the people. There are no restrictions on freedom of association.

IV. Economic, social and cultural rights

81. The new Constitution contains an entire section on economic and social rights. Articles 37 and 38 lay down the principle of the right to work and job security.

82. These rights are covered in the second priority area of the Strategy for Accelerated Growth and Sustainable Development, which is entitled "Accelerating human capital development and promoting social well-being".

83. The Union of the Comoros is pursuing the following goals under this priority area: "(i) promoting the population's health and nutrition and accelerating demographic transition; (ii) expanding education provision and improving the quality of education, including higher education and vocational training; (iii) promoting decent work, social

protection, youth and sport; and (iv) promoting quality of life, access to water/sanitation and sustainable energy services."[6]

84. These rights are the focus of several of the targets set under the United Nations Development Assistance Framework and the Five-Year Investment Plan.

A. Right to work and to just and favourable conditions of work

1. Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (recommendation 15)

85. Act No. 003/CL of 13 November 2001, promulgated by Decree No. 01-133/EC of 29 December 2001, authorized the ratification of this Convention.

2. Access to work, including for young people (recommendations 64, 65 and 66)

86. The Constitution recognizes the right of all citizens to work (arts. 37 and 38). Steps are being taken to make young people more employable. With the support of external partners, including the African Development Bank, the country is constantly striving to improve the business climate. Thus, assistance is currently being provided to the National Agency for Investment Promotion.

87. The country also aims to become part of the group of emerging nations by 2030.

88. In 2017, the country adopted a national youth policy focused on the following areas:

- Education and skills development
- Health and well-being
- Employment and entrepreneurship
- Young people's rights, governance and empowerment

89. Employability is addressed in strategic objective 2.3, entitled "Promoting decent work, social protection, youth, sport and culture", of priority area 2 of the Strategy for Accelerated Growth and Sustainable Development.

90. The target is to bring unemployment down to under 10 per cent by 2019 through higher growth.

91. The measures taken to meet this objective include the creation of the Employment Centre, whose central mission is to help young people to find work.

92. In 2017, the Comoros implemented a youth training policy, which has begun delivering results.

93. The International Labour Office has just launched a project to support the Employment Centre in reaching its objectives.

94. A legislative proposal on protections for unskilled workers in the Comoros has been submitted to the Assembly.

95. The Union of the Comoros has also adopted a Decent Work Country Programme.

3. Right to social security

96. The National Social Protection Policy and its action plan were drawn up in June 2014.

97. The Social Protection Framework Act was passed in 2017.

98. At the institutional level, the National Social Security Fund provides coverage against occupational accidents and the Pension Fund supports retirees.

4. The right to an acceptable standard of living

Poverty reduction (recommendations 68, 94, 95, 96, 97, 101 and 102)

99. The Comoros has put together programmes and strategies to combat poverty.

100. The first such programme was the Poverty Reduction and Growth Strategy Paper for the period 2006–2009.

101. The country subsequently adopted the Strategy for Accelerated Growth and Sustainable Development for the period 2015–2019 (which had itself been updated to align with the Sustainable Development Goals) and an accompanying priority action plan for the same period.

102. In 2014, with the support of the World Bank, the Government adopted a national policy on inclusive and sustainable protection, which provides, among other things, for the development of a social safety net for the most vulnerable groups and improved access to basic social services.

103. The country's score on the Human Development Index increased in 2015, and the poverty rate fell from 44.8 per cent in 2004 to 34.2 per cent in 2014.

104. The National Strategy for the Development of Statistics for the period 2008–2012 was updated to align with the period covered by the 2015–2019 Strategy for Accelerated Growth and Sustainable Development.

105. The country has also adopted a United Nations Development Assistance Framework for the period 2015–2019.

106. The projects funded by the country's technical and financial partners, including United Nations bodies and the European Union, have largely been focused on the social sector (health care and education).

B. Access to safe drinking water (recommendation 68)

107. The Union of the Comoros has adopted a policy aimed at improving the entire population's access to water. In 2015, many water supply projects were carried out through the Project to Support the Supply of Safe Drinking Water.[7] Several programmes have been launched to improve access to water in rural areas.

108. In 2014, the country developed a national strategy on access to safe drinking water and sanitation.

109. The Union of the Comoros has updated its Water Code. After the Comoros Water and Electricity Company was split up, the country created a new water management company with a view to achieving widespread access to safe drinking water.

C. Food and soil management[8]

110. The country has adopted Act No. 17-005 of 10 June 2017 on food legislation in the Union of the Comoros.

111. In 2014, the Comoros adopted a Country Programming Framework for the period 2014–2019. Its main priority areas are the "intensification, diversification and commercialization of agricultural and livestock production for improved food security" and "strengthening governance and sustainable management of forest and other natural resources, which includes land management".

D. Housing

112. The Act on the Urban Planning and Housing Code was passed in 2015, and its implementing decrees were passed later the same year.

113. In 2016, a study was carried out to identify problems in the housing sector and formulate ideas on how to solve them.

114. The study follows the National Land Policy adopted in 1997.[9]

115. In addition, the main aim of the country's action plan for the period 2011–2016 is to develop a land use scheme.

E. Access to energy

116. The enjoyment of economic and social rights depends on access to energy, which remains a recurring problem in the Comoros. Successive Governments have sought to resolve the problem.

117. National development strategies such as the Poverty Reduction and Growth Strategy Paper and the Strategy for Accelerated Growth and Sustainable Development call for the entire population to have access to energy.

118. In 2013, the country adopted a 20-year national energy strategy.

119. One of the strategy's main objectives is to "improve people's access to energy by aiming to connect all households to electricity by 2020 and achieve an average annual energy consumption, from all sources, of 0.5 toe per capita".[10]

120. There has been a marked improvement in access to electricity, and the number of power cuts has fallen. In addition, the country has sought to promote clean energy, such as geothermal and solar.

V. Right to health (recommendations 69, 70, 71, 72, 73, 74, 75 and 76)

A. Legislative framework

121. Article 32 of the Constitution adopted by referendum in July 2018 expressly provides for the right to health.

122. Considerable work is needed to improve the health-care sector. The country has implemented a national health-care financing strategy.

123. This is covered in the priority area of the Strategy for Accelerated Growth and Sustainable Development entitled "Accelerating human capital development and promoting social well-being".

124. The Union of the Comoros has adopted and is already implementing a national health-care strategy for the period 2015–2024.

125. Universal health-care coverage has been established by Act No. 17-012, promulgated by Decree 17-105/PR. The health map is being revised to place greater emphasis on access to health.

126. Health care has been made more affordable. For instance, patients pay significantly reduced fees for prenatal consultations, caesarean sections and normal births. Most of the fees are borne by the State through a European Union project.

127. The Comoros plans to establish a general health insurance scheme. A multisectoral steering committee (with representatives from the finance and health-care sectors) has been set up to implement the scheme and has adopted a road map to guide its work.

128. In 2018, two studies on the general health insurance scheme were approved.

B. Infrastructure

129. Several medical facilities have been refurbished, and new wards have been built in rural areas to improve access to health care, especially for mothers and children.

130. In 2018, the State supported the Military Health Service in building and equipping a maternity ward in order to free up beds at the Moroni hospital. The Mother and Child Centre and the Mitsoudjé Hospital also benefited from this support.

131. The State has initiated a large construction project for a teaching hospital in Moroni.

132. The Mbambao Mtsanga referral hospital in Anjouan is operational.

133. With the ongoing support of UNICEF and WHO, significant steps have been taken to reduce child mortality, which remains a major source of concern for the Comoros. The results have been encouraging.

134. UNICEF, WHO and UNFPA have taken specific measures to improve maternal and child health.

VI. Right to education (recommendations 77, 78, 79, 80, 81, 82, 83, 84, 85 and 86)

135. Pursuant to article 44 of the Constitution, the objectives of the State's education policy include the gradual elimination of illiteracy and life-long learning.

136. The country has several plans for the education sector, including an interim plan for the period 2013–2015. The plan provides for a number of measures to improve education (promoting schooling, increasing literacy rates, building and renovating infrastructure, etc.).

137. It was evaluated as part of an annual review in 2015.

138. Many achievements were noted. Illiteracy has decreased in prevalence among young people aged 15–25 years.

139. Over the period 2014–2017, UNICEF implemented a plan to provide care for children outside the school system with a view to improving their literacy and possibly reintegrating them into the school system.[11]

140. A similar programme has been implemented by a Comorian non-governmental organization (NGO), the Association Comorienne pour le Bien-être de la Famille (Comorian Family Welfare Association), which is campaigning to bring children, especially girls, back into the education system.

141. For very young children, the gross school enrolment rate increased from 10 per cent in 2010 to 19 per cent in 2015, which reflects real, sustained progress.

142. At the primary level, the gross school enrolment rate reached 100 per cent in 2014 and remained unchanged in 2015.

143. All children have guaranteed access to primary education. Very few children who live in rural areas or have mild disabilities do not attend school. Nevertheless, measures have been taken to increase their enrolment, including the early detection of hearing and vision impairments.

144. In 2015, the primary retention rate was 75 per cent, which is slightly higher than the continental average, and the Government is continuing to work with its partners to increase the country's performance.[12]

145. The gross school enrolment rate for girls reached 99.2 per cent in 2015.[13]

VII. Rights of specific persons or groups

A. Women's rights

1. Normative framework (recommendations 14, 34, 35, 36, 39, 40, 41, 42, 43, 45 and 49)

146. Comorian women are a particular focus of attention. Custom is particularly advantageous to women when it comes to inheritance, as male children are ineligible to inherit certain forms of property. The marital home belongs to the wife. Nevertheless, the Government has taken specific measures to strengthen women's rights.

147. Women's rights are solemnly enshrined in the revised Constitution. Article 30 guarantees women the right to protection by the public authorities against neglect, exploitation and violence in all their forms.

148. Article 34 recognizes women's right to stand for election to local and national political bodies.

149. Article 36 provides for the fair and equitable representation of men and women in the Government.

150. These represent important steps forward for gender equality.

151. The Comoros has ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. This matter was dealt with during the previous cycle of the universal periodic review.

152. The country has also adopted a national strategy to combat violence against women and minors and an accompanying road map.

153. In addition, the country has developed a national gender equality and equity policy, which was revised and approved in 2018. A plan of action for the policy is envisaged, but, owing to a lack of funding, work is yet to begin.

154. The Act on Violence against Women and Children has been passed. Act No. 17-008/AU of 22 June 2017 introduced measures to promote gender equality in access to appointed and elected office.

2. Awareness-raising and physical protection (recommendations 37, 38 and 44)

155. The Gender Office regularly conducts campaigns to raise awareness of this topic. In 2017, two helplines were set up to enable women to report violence and seek protection from a specialized body.

156. Owing to limited resources, there is no shelter for women victims of violence, but a reception centre was set up under the Association Comorienne pour le Bien-être de la Famille in 2017. The centre offers counselling and medical care to women victims of violence.

157. There are plans to set up temporary foster homes for short-term placements (48 hours).

158. These activities are part of a three-year strategy due to end next year, when a new partner will have to take over.

159. Advocacy work is being carried out to encourage partners to renew this strategy.

160. The Gender Office is conducting campaigns to promote women's representation in decision-making positions. In 2018, a book on the careers of 12 female politicians was published and promoted to mark International Women's Day.

161. There are insufficient resources to disseminate the Convention on the Elimination of All Forms of Discrimination against Women, but similar or more substantial awareness-raising measures have been taken and are being implemented, as noted above. Awareness-raising is also being carried out in schools and universities.

162. The following platforms on women's issues have been set up since 2013:

- Women in politics
- Women and sustainable development
- Women entrepreneurs
- Women and combating violence

3. Strengthening women's income-generating activities (recommendations 51 and 52)

163. Women's groups are working to promote income-generating activities.

164. The Gender Office supports agricultural and sewing projects set up by women.

165. The Ministry of Production has launched a project to support farmers. Women account for over 45 per cent of its beneficiaries.

166. The Sudan made a recommendation on strengthening the fight against trafficking in persons.

167. The Comoros has set up a group to monitor the Government's commitments with regard to combating human trafficking.

168. The process of ratifying the Palermo Protocol is under way.

B. Children's rights

169. Children's rights issues have already been addressed in the section on economic and social rights.

170. The revised Constitution guarantees all citizens the right to training, education and instruction. It specifically guarantees the protection of children from neglect, violence and exploitation in all their forms.

171. The National Assembly is currently considering a bill, submitted on 13 April 2018, authorizing the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

172. At the initiative of the Solidarity and Gender Office and with funding from UNICEF, a study evaluating the child protection system was conducted in 2016 by a Belgian NGO under the supervision of a multisectoral steering committee.

173. Also in 2016, the country developed a child protection policy and accompanying action plan.

174. As for birth registration (recommendation 6), the system has been in place since 2001.

175. To build on this achievement, the Ministry of the Interior has designed birth forms, which are provided to heads of villages for registering births in their localities. The completed forms are submitted to mayoral offices for registration purposes.

C. Rights of persons with disabilities

176. The country has taken measures to protect persons with disabilities. In the Comoros, persons with disabilities are widely involved in all sectors of society, including business, the arts and sport.

177. The country is ably represented by its national teams, which often win medals in international competitions.

178. Persons with disabilities do not experience social discrimination. They are represented on the National Commission for Human Rights and Freedoms.

179. In December 2014, the country passed the Act on the Promotion and Protection of the Rights of Persons with Disabilities. The Act was promulgated by Decree No. 15-0059/PR.

180. The country adopted Act No. 15-003/AU of 19 June 2015 ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities, which was promulgated by Decree No. 15-097/PR.

VIII. Status of recommendations that were not accepted

181. The following recommendations made during the previous cycle did not enjoy the support of the Comoros:

- Initiate a debate on the decriminalization of homosexuality (Spain)
- Review the report of the High Commissioner on sexual orientation and gender identity and give consideration to implementing its recommendations (Netherlands)
- Repeal all provisions giving rise to discrimination based on sexual orientation or gender identity and ensure respect for fundamental freedoms for all citizens (France)
- Take steps to avoid discrimination and violation of the human rights of the LGBT population (Brazil)
- Decriminalize religious proselytism and religious freedom (Spain)
- Put measures in place to better protect religious freedom, including through bringing the older Penal Code, which prohibits conversion from Islam, in line with the Constitution, and enabling people of all religions to practise religion openly without risking discrimination (United Kingdom of Great Britain and Northern Ireland)
- Guarantee and protect freedom of religion or conscience for all its citizens (France)

182. The Comoros has not changed its position on these issues, which can be grouped into two subject areas.

183. Religion is the foundation of society and social cohesion. The Constitution proclaims that Comorian national identity is based on Sunni Islam.

184. This can be seen precisely as a response to the inclination of some to use religion to sow division and to the emergence of challenges such as terrorism or radical proselytism.

185. The Comoros is one of the few countries in Africa to have avoided religious conflict. Freedom of religion and conscience is guaranteed, and different religious communities live together peacefully. Religion in the Comoros is very tolerant, like Comorian society itself.

186. The Union of the Comoros considers that sexual orientation is a private matter and thus not a priority at present.

IX. New and emerging issues, including advances and challenges in that regard

187. The Union of the Comoros is firmly committed to protecting and promoting human rights. As detailed above, substantial efforts have been made on the legislative and institutional fronts.

188. Considerable progress has been achieved. For example, the Constitution adopted by referendum in July 2018 contains a section, Title II, largely devoted to citizens' rights and duties, which represents a first in the country's post-independence history.

189. Several human rights-related laws have also been passed, as outlined above.

190. The country has also ratified a number of human rights treaties.

191. Many such initiatives have been implemented and are thus having a real impact on the realization of human rights.

192. However, the country is well aware that the promotion and protection of human rights require constant vigilance and continual adjustments to prevailing circumstances.

193. The Comoros can boast political stability, but this has been shaken in recent months, particularly in the context of the constitutional revision process to which the opposition had not lent its support.

194. The population is able to exercise its fundamental rights without restriction, although there are occasional lapses on the part of the public authorities, for example the police or the army. These lapses can often be explained in large part by a lack of familiarity with the rules.

195. Training courses have been organized to raise awareness of human rights among the public authorities.

196. Although the law guarantees the freedom of the press, some challenges have been encountered with private media outlets, as they are unfamiliar with the provisions in question. The National Council for the Press and Audiovisual Media has been established as the regulator in this area.

197. Freedom of expression is also guaranteed, and no one may be persecuted for political or other opinions formulated in accordance with the law.

198. The recent resumption of dialogue between the Government and the opposition has improved the political climate.

199. Nevertheless, inadequate financial and human resources are preventing human rights from being promoted and protected as fully as they could be. There is thus a need for the support of the international community.

X. Challenges which would require the support of the international community

200. In addition to the requests for assistance made during the previous cycle, which are reiterated here, the Union of the Comoros requires assistance in:

- Developing tools for teaching human rights from the first year of school
- Supporting the establishment of a body to monitor treaties
- Helping the National Commission for Human Rights and Freedoms to operate and monitor international commitments
- Training human rights instructors
- Training judges and lawyers in the application of international standards in national courts
- Developing awareness-raising tools for the public authorities and the population
- Building new judicial infrastructure (a courthouse and a prison)
- Supporting the Gender Office
- Supporting civil society organizations working to promote and protect human rights

201. The most active civil society associations are:

- The Fédération Comorienne des Droits de l'Homme (Comorian Federation of Human Rights)
- The Ngo'shawo youth association
- The NGO Hifadhui (protection of women and children)
- The Réseau Femmes et Développement (Women and Development Network)

- The Fédération Comorienne des Handicapés (Comorian Federation of Persons with Disabilities)
- The NGO Maeecha (education)
- The Confederation of Comorian Workers
- The Association of Journalists
- The National Observatory of Places of Detention
- The Association Comorienne pour le Bien-être de la Famille

202. Civil society is very active in promoting and protecting human rights. It is an important human rights partner for the Government.

203. However, civil society is poorly coordinated and lacks the resources needed to carry out its work effectively, which it is nevertheless truly committed to doing.

Conclusion

204. The Comoros is clearly committed to making progress on human rights issues and intends to continue making such progress.

205. The country has implemented most of the recommendations that it has received and solemnly undertakes to continue its work in this connection.

206. In this regard, the country needs the constant support of its partners.

Notes

[1] Entretien avec le DGDH.
[2] Selon le décret N°11-139/PR du 12 juillet 2011, la DGDH a pour mandat essentiel de « Assurer la mise en œuvre, le suivi et la protection des conventions et traités internationaux et régionaux en matière des droits de l'homme auxquels l'Union des Comores est partie ».
[3] SCADD révisée. Page 42.
[4] Actuellement, les Agents faisant fonctions d'Agents pénitentiaires n'ont pas un statut spécifique. Ce sont soit es fonctionnaires du Ministère de la Justice, soit des fonctionnaires de police.
[5] Entretien avec la DGAJ.
[6] SCADD révisée. P. 60.
[7] Il s'agit des Projets de Fomboni, Ouani, Mbeni, Moroni, Mutsamudu.
[8] Source: Cadre de Programme Pays pour l'Union des Comores. FAO.2014.
[9] Source: Rapport Pays, Habitat III, Ministère de l'Aménagement du Territoire, 2015.
[10] Stratégie sectorielle nationale Energie aux Comores, 2013, Fonds Européen de Développement.
[11] Revue sectorielle du plan intérimaire de l'éducation P.I.E — 2013–2015. **Rapport d'état d'avancement** P.14. Unesco. Juin 2015.
[12] Le système éducatif comorien: un bref état des lieux de la performance et du fonctionnement. Ministère de l'Education Nationale, Juillet 2017.
[13] Revue Sectorielle 2015, Principaux indicateurs du Plan Intérimaire de l'Education, Ministère de l'Education Nationale, P.9 Moroni, 2015.